

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: A8937

Paul GILSON, et al.

Appln. No.: 10/058,828

Group Art Unit: 3731

Confirmation No.: 3776

Examiner: Uyen T. HO

Filed: January 30, 2002

For: EMBOLIC PROTECTION DEVICE

RESPONSE TO OFFICE COMMUNICATION AND SUBMISSION
REGARDING INTERVIEW SUMMARY

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Referring to the Communication from the Examiner dated April 2, 2007, Applicants appreciate the Examiner's consideration of the Information Disclosure Statements filed November 13, 2006, and December 6, 2006. All of the claims of the present Application have been allowed and prosecution of the Application has been suspended in view of the Suggestion For Interference Under 37 C.F.R. §41.202(a) filed January 30, 2006.

As discussed with the Examiner telephonically, the Interview Summary dated August 14, 2006, contained a detailed discussion of the substance of the interview and, therefore, nothing further was necessary from Applicants.

The Attachment to the Interview Summary indicated that Applicants' arguments contained in the Amendment Under 37 C.F.R. §1.111 filed June 29, 2005, have been fully

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considered and were persuasive to overcome the rejection under 35 U.S.C. §112, first paragraph, contained in the Office Action mailed March 22, 2005. The Attachment also indicated that the amended claims and arguments contained in the Rule 111 Amendment filed June 29, 2005, have overcome the 35 U.S.C. §102 rejection contained in the Office Action.

The Attachment to the Interview Summary further contained a detailed discussion of the allowable subject matter, referring to elements of each of Claims 44, 48, 49, 53, 65, 67, 68, 85, 92, 93 and 96-99.

Accordingly, Applicants believe that nothing further is due and look forward to the declaration of an interference along the lines set forth in the Suggestion for Interference referred to above.

While it is believed that no fee is due, the USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,

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WASHINGTON OFFICE

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Date: May 21, 2007